

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
v.	:	CRIMINAL ACTION NO.
	:	2:16-CR-0034-RWS-JCF
MARQUIS BONDS,	:	
	:	
Defendant.	:	

ORDER


This case is before the Court for consideration of the Report and Recommendation (“R&R”) [Doc. 18] of Magistrate Judge J. Clay Fuller and the United States’ Motion in Limine to Exclude Legal Argument [Doc. 21]. After reviewing the record, the Court enters the following Order.

No objections have been filed to the R&R. In accordance with 28 U.S.C. § 636(b)(1) and Rule 59 of the Federal Rules of Criminal Procedure, the Court has reviewed the R&R for plain error and has found none. The Report and Recommendation [Doc. 18] is hereby approved and adopted as the opinion and order of this Court. Accordingly, Defendant’s Motion to Dismiss [Doc. 13] is **DENIED.**

In the Motion in Limine, the Government moves the Court to prohibit

Defendant from arguing to the jury that a person is not “under indictment” as charged in the Indictment [Doc. 1] if that person has entered a guilty plea under Georgia’s First Offender Act. In light of the Court’s ruling on Defendant’s Motion to Dismiss, the Government is entitled to the relief sought. Therefore, the Motion in Limine [Doc. 21] is **GRANTED**, and Defendant is **ORDERED** not to argue that a person is not “under indictment” as charged in the Indictment if that person has entered a guilty plea under Georgia’s First Offender Act.

SO ORDERED this 13~~th~~ day of July, 2017.



RICHARD W. STORY
UNITED STATES DISTRICT JUDGE